Norman C. Kleinberg Theodore V. H. Mayer William J. Beausoleil **HUGHES HUBBARD & REED LLP** One Battery Park Plaza New York, New York 10004-1482 (212) 837-6000

Paul F. Strain M. King Hill, III David J. Heubeck VENABLE LLP 750 E. Pratt Street Suite 900 Baltimore, MD 21202 (410) 244-7400

Attorneys for Defendant Merck & Co., Inc.

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

-----X Fosamax Products Liability Litigation : 1:06-md-1789 (JFK) This Document Relates to: **NOTICE OF APPEARANCE** Dixie Duncan and Kenneth Duncan v. Merck & Co., Inc. Case No: 1:08-cv-4171-JFK -----x

PLEASE TAKE NOTICE that David J. Heubeck hereby enters his appearance as counsel of record in the above referenced causes of action. All inquiries, pleadings and court documents should be filed and served upon the undersigned.

Dated: June 2, 2008

New York, New York

Respectfully submitted,

By:_____

David J. Heubeck

Venable LLP 750 E. Pratt Street Suite 900

Baltimore, MD 21202 Tel: (410) 244-7731 Fax: (410) 244-7742

Email: djheubeck@venable.com

CERTIFICATE OF SERVICE

I hereby certify that on June 2, 2008, the foregoing NOTICE OF APPEARANCE was filed electronically and served electronically, pursuant to the Court's Case Management Order, via the Court's CM/ECF system.

Venable LLP 750 E. Pratt Street Suite 900 Baltimore, MD 21202 Tel: (410) 244-7731

Fax: (410) 244-7742

Email: djheubeck@venable.com